IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 24026 of 2004

Between:

Chelli Vani, W/o.Srinivasarao,
R/o.Chepurivaripalem Korlamanda, Vissannapet (M), Krishna District.

..... PETITIONER

AND

1 State of A.P rep. by its Principal Secretary, Department of Women and

Child Welfare, Secretariat, Saifabad, Hyderabad.
2 The Commissioner, Women and Child Welfare Department, Sarathi

Studio Lane, Panjagutta, Hyderabad.
3 The Director, ICDS Project, Near ITI College Sunnambatti Centre,

Vijayawada, Krishna District.
4 The Child Development Project Officer (CDPO), Vissannapet (M)

Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in closing the Anganwadi centre at the village Chepurivaripalem is vitiated by political malafides, illegal, irregular and violative of Articles 14,21, 21 and 45 to 47 of the Constitution of India and

consequently direct the respondents to restore and continue the said anganwadi centre at Chepurivaripalem with the same staff and facilities and pass such other order or orders.

Counsel for the Petitioner: MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondent Nos 1 to 3.: GP FOR WOMEN DEV. & CHILD WELFARE

The Court at the stage of admission made the following :

ORAL ORDER: (Per the Hon'ble the Chief Justice)

Chelli Vani, a member of Mothers' Committee of Cheepurivaripalem, Korlamanda, Vissannapet mandal, Krishna District has filed this writ petition purported to be in public interest questioning the action of the respondents in closing down the Anganwadi centre in the village Korlamanda of Vissannapet mandal. She has also sought for a direction to reopen and run the centre.

Affidavit in reply has been filed by Mr.V.Bhaskar, Child Development Project Officer, Integrated Child Development Services Project, Vissannapet, Krishna District. It is stated that Anganwadi centre was opened in Cheepurivaripalem in the year 2002 and one Smt.A.Nirmala was appointed as Anganwadi teacher. The petitioner was one of the members of the Mothers' committee. The daughter of the petitioner, who was aged three years was also admitted in the Anganwadi centre. There were 35 beneficiaries of the said centre from 33 families residing in the village. On 15.7.2003 and 10.9.2003, some of the villagers submitted a representation to the Project Directors, ICDS, Krishna District requesting him to enquire into the affairs of the Anganwadi centre. Accordingly, enquiry was conducted on 25.7.2003 and 23.9.2003. A detailed report was also submitted stating that the allegations made in the representations of the villagers were found to be true. There was also a complaint received later on against the Anganwadi teacher stating that the centre is not functioning properly due to the illegal activities of the Anganwadi teacher as she was selling the nutritious food in black market. After a detailed enquiry, which was conducted by visiting door to door, a report was submitted. 29 families out of 33 families accepted for the closure of Anganwadi center in the village and to shift it to some other village. Mothers' committee also opined that Anganwadi Centre was not functioning properly. It is also stated in the counter that the Anganwadi Worker so

selected shall be liable to be removed by the General Body Meeting if the community finds her work unsatisfactory or if she commits grave irregularities. In the affidavit in reply, it has been assured that petitioner's daughter will be provided with nutritious food from the nearest village i.e.Korlamanda, SC colony, in case the petitioner is so interested.

In view of the affidavit in reply, there is hardly any ground to interfere with the decision taken by the respondents to close down the Anganwadi Centre and to shift it to some other place in view of the complaints received and in view of the majority of the villagers agreeing for closing down the center.

The writ petition is accordingly dismissed.

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DEVINDER GUPTA, C.J

Dated 10..03..2005

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B.SESHASAYANA REDDY,J

msv

To

1 The Principal Secretary, Department of Women and

Child Welfare, State of A.P, Secretariat, Saifabad, Hyderabad.
2 The Commissioner, Women and Child Welfare Department, Sarathi

Studio Lane, Panjagutta, Hyderabad.
3 The Director, ICDS Project, Near ITI College Sunnambatti Centre,

Vijayawada, Krishna District.
4 The Child Development Project Officer (CDPO), Vissannapet (M)

Krishna District.

5 2 CCs to GP for Women And Child Welfare Department, High Court of A.P. Hyderabad (OUT)

6 2 CD copies.